

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:20-cv-10111-CAS-JEM

Solarmare Management Services Inc. et al v. Nixon Peabody LLP et al
Assigned to: Judge Christina A. Snyder
Referred to: Magistrate Judge John E. McDermott
Case in other court: Superior Court of CA for the County of Los Angeles, 20STCV32546
Cause: 28:1441 Notice of Removal – Breach of Contract

Date Filed: 11/03/2020
Date Terminated: 12/08/2020
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Federal Question

Plaintiff

Solarmare Management Services Inc.
a California corporation

represented by **Howard E King**
King Holmes Paterno and Soriano LLP
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Carl Jansen
a married couple

represented by **Howard E King**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian J. Foster
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John G. Snow
(See above for address)
ATTORNEY TO BE NOTICED

Ross P. Meyer
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Barbara Jansen
a married couple

represented by **Howard E King**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian J. Foster
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

John G. Snow
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ATTORNEY TO BE NOTICED

Ross P. Meyer
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Nixon Peabody LLP
a New York limited liability partnership

represented by **Eric Houghton MacMichael**
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ATTORNEY TO BE NOTICED

Defendant

Forrest David Milder
a married individual

represented by **Eric Houghton MacMichael**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bailey Heaps

(See above for address)
ATTORNEY TO BE NOTICED

Deeva Shah

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Elliot R Peters

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/03/2020	<u>1</u>	NOTICE OF REMOVAL from Los Angeles Superior Court, case number 20STCV32546 Receipt No: ACACDC-28848220 – Fee: \$400, filed by Defendant Nixon Peabody LLP, Forrest David Milder. (Attachments: # <u>1</u> Declaration ISO Notice of Removal, # <u>2</u> Exhibit Exhibit A Complaint State Court Case No. 20STCV32546, # <u>3</u> Exhibit Exhibit B Civil Case Cover Sheet State Court No. 20STCV32546, # <u>4</u> Exhibit Exhibit C Acknowledgment of receipt of summons and complaint State Court No. 20STCV32546, # <u>5</u> Exhibit Exhibit D Pltff's Notice of Related Case (re 19STCV45775)

State Court Case No. 20STCV32546, # 6 Exhibit Exhibit E Counter Civil Case Cover Sheet; Complex Civil Case Q w POS, # 7 Proof of Service) (Attorney Eric Houghton MacMichael added to party Forrest David Milder(pty:dft), Attorney Eric Houghton MacMichael added to party Nixon Peabody LLP(pty:dft))(MacMichael, Eric) (Entered: 11/03/2020)

11/03/2020	<u>2</u>	CIVIL COVER SHEET filed by Defendants Forrest David Milder, Nixon Peabody LLP. (MacMichael, Eric) (Entered: 11/03/2020)
11/03/2020	<u>3</u>	<i>Defendant Nixon Peabody, LLP and Forrest David Milders Federal Rule of Civil Procedure 7.1 Disclosure Statement and Civil Local Rule 3–15 Certification of Interested Entities or Persons</i> CERTIFICATE of Interested Parties filed by Defendant Forrest David Milder, Nixon Peabody LLP, identifying Nixon Peabody LLP. (MacMichael, Eric) (Entered: 11/03/2020)
11/03/2020	<u>1</u>	CONFORMED E–FILED COPY OF COMPLAINT against Defendants Forrest David Milder, Nixon Peabody LLP. Jury Demanded., filed by Plaintiffs Carl Jansen, Solarmare Management Services Inc., Barbara Jansen. [FILED IN STATE COURT ON 8/26/2020 SUBMITTED ATTACHED TO EXHIBIT A TO NOTICE OF REMOVAL <u>1</u> (et) (Entered: 11/05/2020)
11/03/2020	<u>1</u>	CONFORMED E–FILED COPY OF NOTICE AND ACKNOWLEDGMENT OF SERVICE of Summons and Complaint returned Executed filed by Plaintiff Carl Jansen, Solarmare Management Services Inc., Barbara Jansen, upon Defendant Forrest David Milder acknowledgment sent by Plaintiff on 9/28/2020, answer due 10/19/2020; Nixon Peabody LLP acknowledgment sent by Plaintiff on 9/28/2020, answer due 10/19/2020. Acknowledgment of Service signed by Eric MacMichael, Attorneys for Defendants. [FILED IN STATE COURT ON 10/9/2020 SUBMITTED ATTACHED TO EXHIBIT C TO NOTICE OF REMOVAL <u>1</u> . (et) (Entered: 11/05/2020)
11/04/2020	<u>4</u>	PROOF OF SERVICE filed by defendants Forrest David Milder, Nixon Peabody LLP, re Notice of Removal (Attorney Civil Case Opening),,, <u>1</u> by U.S. Mail served on 11/04/2020. (MacMichael, Eric) (Entered: 11/04/2020)
11/04/2020	<u>5</u>	PROOF OF SERVICE filed by Defendants Forrest David Milder, Nixon Peabody LLP, served on 11/04/2020. (Attachments: # <u>1</u> Exhibit Exhibit)(MacMichael, Eric) (Entered: 11/04/2020)
11/05/2020	<u>6</u>	NOTICE OF ASSIGNMENT to District Judge Christina A. Snyder and Magistrate Judge John E. McDermott. (et) (Entered: 11/05/2020)
11/05/2020	<u>7</u>	NOTICE TO PARTIES OF COURT–DIRECTED ADR PROGRAM filed. (et) (Entered: 11/05/2020)
11/05/2020	<u>8</u>	NOTICE OF PRO HAC VICE APPLICATION DUE for Non–Resident Attorney Brian J. Foster on behalf of Plaintiffs. A document recently filed in this case lists you as an out–of–state attorney of record. However, the Court has not been able to locate any record that you are admitted to the Bar of this Court, and you have not filed an application to appear Pro Hac Vice in this case. Accordingly, within 5 business days of the date of this notice, you must either (1) have your local counsel file an application to appear Pro Hac Vice (Form G–64) and pay the applicable fee, or (2) complete the next section of this form and return it to the court at cad_attyadm@cad.uscourts.gov . You have been removed as counsel of record from the docket in this case, and you will not be added back to the docket until your Pro Hac Vice status has been resolved. (et) (Entered: 11/05/2020)
11/05/2020	<u>9</u>	NOTICE OF PRO HAC VICE APPLICATION DUE for Non–Resident Attorney Ross P. Meyer on behalf of Plaintiffs. A document recently filed in this case lists you as an out–of–state attorney of record. However, the Court has not been able to locate any record that you are admitted to the Bar of this Court, and you have not filed an application to appear Pro Hac Vice in this case. Accordingly, within 5 business days of the date of this notice, you must either (1) have your local counsel file an application to appear Pro Hac Vice (Form G–64) and pay the applicable fee, or (2) complete the next section of this form and return it to the court at cad_attyadm@cad.uscourts.gov . You have been removed as counsel of record from the docket in this case, and you will not be added

back to the docket until your Pro Hac Vice status has been resolved. (ct) (Entered: 11/05/2020)

11/06/2020	<u>10</u>	Joint STIPULATION Extending Time to Answer the complaint as to All Parties, filed by Defendants Nixon Peabody LLP.(MacMichael, Eric) (Entered: 11/06/2020)
11/09/2020	<u>11</u>	APPLICATION of Non-Resident Attorney Brian J. Foster to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922515) filed by Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc.. (Attachments: # <u>1</u> Proposed Order) (Snow, John) (Entered: 11/09/2020)
11/09/2020	<u>12</u>	APPLICATION of Non-Resident Attorney Ross P. Meyer to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922726) filed by Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc.. (Attachments: # <u>1</u> Proposed Order) (Snow, John) (Entered: 11/09/2020)
11/09/2020	<u>13</u>	ORDER by Judge Christina A. Snyder: GRANTING <u>12</u> Non-Resident Attorney Ross P. Meyer APPLICATION to Appear Pro Hac Vice on behalf of Plaintiffs, Solarmore Management Services, Inc. and Carl & Barbara Jansen, designating John Snow as local counsel. (shb) (Entered: 11/10/2020)
11/09/2020	<u>14</u>	ORDER by Judge Christina A. Snyder: GRANTING <u>11</u> Non-Resident Attorney Brian J. Foster APPLICATION to Appear Pro Hac Vice on behalf of Plaintiff's Solarmore Management Services, Inc. and Carl & Barbara Jansen, designating John Snow as local counsel. (shb) (Entered: 11/10/2020)
11/10/2020	<u>15</u>	NOTICE of Deficiency in Electronically Filed Pro Hac Vice Application RE: APPLICATION of Non-Resident Attorney Brian J. Foster to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922515) <u>11</u> , APPLICATION of Non-Resident Attorney Ross P. Meyer to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922726) <u>12</u> . The following error(s) was/were found: Local Rule 83–2.1.3.3(d) Attached Certificate of Good Standing not issued within 30 days prior to filing of the application. A declaration is required regarding unavailability to provide GSC due to COVID–19. See Court's website on Coronavirus (COVID–19) Guidance. (Thrasher, Lupe) (Entered: 11/10/2020)
11/12/2020	<u>16</u>	NOTICE TO COUNSEL upon filing of the complaint by Judge Christina A. Snyder. (rba) (Entered: 11/12/2020)
11/17/2020	<u>17</u>	NOTICE OF LODGING filed with <i>Certificate of Good Standing</i> re APPLICATION of Non-Resident Attorney Brian J. Foster to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922515) <u>11</u> (Attachments: # <u>1</u> Exhibit A)(Snow, John) (Entered: 11/17/2020)
11/17/2020	<u>18</u>	NOTICE OF LODGING filed with <i>Certificate of Good Standing</i> re APPLICATION of Non-Resident Attorney Ross P. Meyer to Appear Pro Hac Vice on behalf of Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc. (Pro Hac Vice Fee – \$500 Fee Paid, Receipt No. ACACDC–28922726) <u>12</u> (Attachments: # <u>1</u> Exhibit A)(Snow, John) (Entered: 11/17/2020)
11/17/2020	<u>19</u>	DEMAND for Jury Trial filed by Plaintiffs Barbara Jansen, Carl Jansen, Solarmare Management Services Inc... (Snow, John) (Entered: 11/17/2020)
11/20/2020	<u>20</u>	

NOTICE OF MOTION AND MOTION to Transfer Case to Eastern District of California filed by Defendants Forrest David Milder, Nixon Peabody LLP. Motion set for hearing on 12/21/2020 at 10:00 AM before Judge Christina A. Snyder. (MacMichael, Eric) (Entered: 11/20/2020)

11/20/2020	<u>21</u>	REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Transfer Case to Eastern District of California <u>20</u> filed by Defendants Forrest David Milder, Nixon Peabody LLP. (MacMichael, Eric) (Entered: 11/20/2020)
11/20/2020	<u>22</u>	PROOF OF SERVICE filed by Defendants Forrest David Milder, Nixon Peabody LLP, re NOTICE OF MOTION AND MOTION to Transfer Case to Eastern District of California <u>20</u> served on 11/20/2020. (MacMichael, Eric) (Entered: 11/20/2020)
12/07/2020	<u>23</u>	Joint STIPULATION to Transfer Case to Eastern District of California, Joint STIPULATION for Extension of Time to File Answer to TBD re NOTICE OF MOTION AND MOTION to Transfer Case to Eastern District of California <u>20</u> filed by defendants Forrest David Milder, Nixon Peabody LLP. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> proof of service)(MacMichael, Eric) (Entered: 12/07/2020)
12/08/2020	<u>25</u>	ORDER GRANTING JOINT STIPULATION REGARDING NON-OPPOSITION TO MOTION TO TRANSFER AND EXTENSION OF TIME TO RESPOND TO COMPLAINT by Judge Christina A. Snyder: The Court hereby GRANTS the motion to transfer venue to the Eastern District of California <u>20</u> . Defendants deadline to respond to the Complaint is extended to 60 days from the date the Eastern District of California receives the case. File transferred electronically IT IS SO ORDERED. (MD JS-6. Case Terminated.) (shb) (Entered: 12/09/2020)
12/09/2020	<u>24</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Deeva Shah counsel for Defendants Forrest David Milder, Nixon Peabody LLP. Adding Benjamin D. Rothstein as counsel of record for Nixon Peabody, LLP and Forrest David Milder for the reason indicated in the G-123 Notice. Filed by Defendants Keker, Van Nest & Peters LLP. (Shah, Deeva) (Entered: 12/09/2020)